

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

JIMMY MILLS,	:	PRISONER CIVIL RIGHTS
Plaintiff,	:	42 U.S.C. § 1983
	:	
v.	:	
	:	
DEKALB COUNTY SHERIFF DEPT.	:	CIVIL ACTION NO.
et al.,	:	1:17-CV-2524-WSD-JKL
Defendants.	:	

FINAL REPORT AND RECOMMENDATION

Plaintiff is a state prisoner who, pro se, filed a complaint under 42 U.S.C. § 1983. (Doc. 1.) Plaintiff sought damages from the DeKalb County Sheriff's Department and officials at the DeKalb County Jail for injuries Plaintiff allegedly sustained when an inmate allegedly assaulted him at that jail. (*Id.*)

The undersigned screened the complaint as required by 28 U.S.C. § 1915A and found that it did not state a claim upon which relief may be granted. (Doc. 3 at 2-4); *see* 28 U.S.C. § 1915A (requiring dismissal of prisoner complaint that is frivolous, malicious, or fails to state a viable claim). The complaint “does little more than describe an alleged assault by a fellow inmate and state that Defendants are responsible for the resulting injuries,” which “is not sufficient to support a finding that

Defendants violated federal law and to entitle Plaintiff to relief under § 1983.” (*Id.* at 3.)

The Court gave Plaintiff an opportunity to file an amended complaint and directed him to file any amended complaint by July 31, 2017. (*Id.* at 3-4.) The Court warned Plaintiff that failure to do so may result in dismissal of this case. (*Id.* at 5.)

Plaintiff did not file an amended complaint, and the time for doing so has expired. Because Plaintiff’s original complaint fails to state a claim upon which relief may be granted and Plaintiff did not file an amended complaint, **IT IS RECOMMENDED** that this action be **DISMISSED** under 28 U.S.C. § 1915A.

SO RECOMMENDED this 7th day of September, 2017.



JOHN K. LARKINS III
UNITED STATES MAGISTRATE JUDGE